

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH DEVICES LIABILITY  
LITIGATION

Case No. 2:18-md-2846

JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson

This document relates to:

*Milanesi et al. v. C.R. Bard, et al.*  
Case No. 2:18-cv-01320

CASE MANAGEMENT ORDER NO. 28-B  
(Dispositive and *Daubert* Motion Schedule for *Milanesi*)

On January 24, 2020, the Court selected *Milanesi et al. v. C.R. Bard et al.*, Case No. 2:18-cv-01320 as the second Bellwether Trial Case that will be tried in this multidistrict litigation (“MDL”). Due to the impact of the coronavirus (COVID-19) outbreak, it is anticipated that this trial will be scheduled for a date in late Summer 2021.

This amended CMO sets forth the dispositive motion schedule for the second bellwether trial. A case management order setting forth the pre-trial and trial schedule for the second bellwether case will be forthcoming.

This Order supersedes the deadlines in CMO No. 20-A as to *Milanesi* as well as CMO Nos. 28 and 28-A as set forth below.

The moving party shall indicate in any summary judgment or *Daubert* motion whether the Court ruled on the issue previously and, if so, whether it is moving to preserve the issue for appeal or whether it is seeking a different ruling because of new or different circumstances, a change in controlling law, or other good cause.

**A. DISPOSITIVE MOTIONS**

The following deadlines will apply to motions for summary judgment in *Milanesi*:

<b><u>Date</u></b>	<b><u>Event</u></b>
January 22, 2021	Dispositive motions to be filed.
February 19, 2021	Opposition papers to dispositive motions to be filed.
March 5, 2021	Reply papers to dispositive motions to be filed.

**B. DAUBERT MOTIONS**

The following deadlines will apply to any motion seeking to exclude or limit an expert's opinions:

<b><u>Date</u></b>	<b><u>Event</u></b>
January 29, 2021	Deadline for filing of any <i>Daubert</i> or other motions concerning any expert (hereafter "expert motions").
February 22, 2021	Opposition papers to expert motions to be filed.
March 4, 2021	Reply papers to expert motions to be filed.

**IT IS SO ORDERED.**

12/30/2020  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE

12/30/2020  
DATE

s/Kimberly A. Jolson  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE